

## 48A C.J.S. Judges § 4

Corpus Juris Secundum | August 2023 Update

### Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

### I. In General

#### A. Definitions and Distinctions

##### 1. In General

### § 4. Chief, president, or senior judge or justice

[Topic Summary](#) | [References](#) | [Correlation Table](#)

#### West's Key Number Digest

West's Key Number Digest, [Judges](#)  1

**A chief or president justice is the presiding justice of an appellate court, while a senior judge is generally the judge who has served the longest time on a given court.**

A chief justice is the presiding justice of an appellate court, usually the highest appellate court in a jurisdiction and, especially, the United States Supreme Court.<sup>1</sup> The term chief judge<sup>2</sup> or president judge<sup>3</sup> is also a title also sometimes given to a presiding judge.

Of several judges composing a court, a senior judge is generally the one has served the longest time on a given court.<sup>4</sup> It is not necessarily the judge who has been longest in continuous service.<sup>5</sup> However, service by appointment as well as by election counts toward seniority for purposes of determining which justice is the "oldest in point of service on the supreme court" entitled to be chief justice.<sup>6</sup>

In the federal system, "senior judges" are fully commissioned Article III judges.<sup>7</sup> Upon assuming senior status, a senior judge does not surrender his or her commission but continues to act under it.<sup>8</sup>

Westlaw. © 2023 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

## Footnotes

- 1 Black's Law Dictionary (9th ed.).
- 2 Cal.—*Bean v. Loryea*, 81 Cal. 151, 22 P. 513 (1889).
- 3 Black's Law Dictionary (9th ed.).
- 4 Black's Law Dictionary (9th ed.).
- 5 Ohio—*State ex rel. Belford v. Hueston*, 44 Ohio St. 1, 4 N.E. 471 (1886).
- 6 U.S.—*In re Office of Chief Justice*, Louisiana Supreme Court, 101 So. 3d 9 (La. 2012).
- 7 U.S.—*Bank v. Cooper, Paroff, Cooper & Cook*, 356 Fed. Appx. 509 (2d Cir. 2009) (referring to U.S. Const. Art. III).
- 8 U.S.—*Bank v. Cooper, Paroff, Cooper & Cook*, 356 Fed. Appx. 509 (2d Cir. 2009).  
As to a judge's commission, see § 49.